

Attorney Docket No.
NC27315 (9004.018)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventive Application of: ESKO HANNULA
For: APPARATUS, AND AN ASSOCIATED METHOD, FOR LOADING
A MOBILE TERMINAL WITH AN APPLICATION PROGRAM
INSTALLED AT A PEER DEVICE

U.S. Serial No.: 09/337,113
Filed: JUNE 21, 1999
Group Art Unit: 3621
Examiner: ABDI, KAMBIZ
Docket No.: NC27315 (9004.018)

Mail Stop RCE
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN 23 2004
GROUP 3600

PETITION TO WAIVE OR REDUCE EXTENSION FEE

Sir:

This Petition is being filed together with an RCE for the Application referred to above. The RCE is in further response to an Office Action mailed 15 December 2003. The Office Action Summary for this Office Action indicated that it was non-final in nature (by checking box 2b), and set a shortened statutory period for reply of three months.

An Amendment in Response to the Office Action was prepared in time for filing by the three month deadline, 15 March 2004. At that time, it was acknowledged that the Conclusion on page 10 of the Office Action indicated it was final in nature. In an abundance of caution, Applicant filed the Amendment by mail addressed to Mail Stop AF, and asked in the Remarks if a clarification of the nature of the Office Action could be provided.

Having received no clarification (or other response), on or about 9 June 2004, the undersigned telephoned the Examiner in an attempt to ascertain the status of the Application. During that teleconference, the Examiner indicated that the Office Action was to be considered final and that an Advisory Action had been mailed the day before.

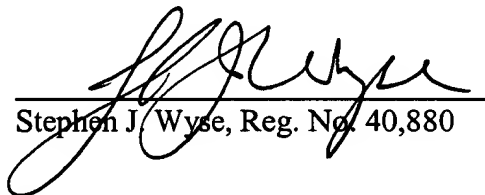
Applicant respectfully notes that the Advisory Action (which has now been received) states only that the previously-filed Amendment would not be entered because new issues were raised requiring additional consideration and/or search. The Examiner indicated that a significant portion of the delay was due to the fact that the Amendment had only recently been forwarded to him for review.

In light of these facts, that Applicant initially believed the Office Action to be non-final in nature, that an Amendment was filed by the shortened-statutory deadline, and that no Advisory Action confirming either the nature or status of the Amendment was mailed until almost three months later, Applicant respectfully requests that the Fee for Extension of time be waived or, in the alternative, reduced to a smaller amount deemed necessary by the Commissioner under the circumstances.

Respectfully submitted,

Date: 15 June 2004

SCHEEF & STONE, L.L.P
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Tel: (214) 706-4200
Fax: (214) 706-4242



Stephen J. Wyse, Reg. No. 40,880